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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/780,259 | HOST, PATRICIA K. | |
| | Examiner | Art Unit | |
| | Charles E. Phillips | 3751 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amdt of 7/6/05.
2. ☒ The allowed claim(s) is/are 8-14.
3. ☒ The drawings filed on 17 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

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|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: claim 7 has been rewritten in independent form as new claim 9 i.e. without claims 2-6 as they are non-intervening. It is assumed that applicant would prefer this broader coverage. Claims 2-6 are added as dependent claims 10-14.

9. A bedpan apparatus to permit a user to dispose of bodily waste, said bedpan apparatus having a bottom surface, side walls, a back wall, a front wall and a top surface with a leading edge, forming a waste reservoir or pan comprising:

a rectangular sheet of flexible material that is attached on top of said pan; said rectangular sheet has an opening for receiving bodily waste from said user, said opening being collinear with said back wall and side walls but only reaching about half the distance to said front wall; said rectangular sheet overhanging said side walls and said front wall by a sufficient distance to allow said leading edge to deflect easily down to bed level when positioned against the user's buttocks by a caretaker; said back wall is taller than said front wall and said side walls taper down from said back wall to said front wall causing said rectangular sheet to slope from the back wall to said leading edge; wherein said bedpan apparatus has a thumb grip contour in the center of the top of said rear wall and four finger grooves indented into the bottom of said rear wall and

said bottom surface to allow easy one handed insertion and extraction of said bed pan apparatus and handling during cleanup or disposal.

10. A bedpan apparatus as defined in claim 9 wherein said bedpan apparatus is molded from an engineering thermoplastic that can survive numerous sterilizations.

11. A bedpan apparatus as defined in claim 9 wherein said bedpan apparatus is made from metal.

12. A bedpan apparatus as defined in claim 9 wherein said back wall is approximately 5 inches tall and said front wall is approximately 2 inches tall.

13. A bedpan apparatus as defined in claim 9 wherein all edges that contact said user's skin are appropriately chamfered, radiused or broken to prevent scraping of sensitive skin.


14. A bedpan apparatus as defined in claim 9 wherein said rectangular sheet overhangs beyond said side walls and front wall approximately five inches.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Phillips whose telephone number is 571-272-4893. The examiner can normally be reached on t-th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 571-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Charles E. Phillips
Primary Examiner